

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Yosuke INOMATA, et al.
Serial No: 10/650,504
Filed: August 27, 2003
For: Dry Etching Apparatus, Dry Etching
Method and Plate and Tray Used
Therein

Art Unit: 1765
Examiner: Anita Karen Alanko
Conf. No.: 6973

**TRANSMITTAL OF
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☒ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☒ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification

after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.
3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5. ☒ A list of 14 reference(s) is in the enclosed Form PTO-1449.

NON-ENGLISH LANGUAGE REFERENCES

- ☒ Enclosed is a Non-English Language Office Action and its English translation for a counterpart application.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references: N/A

Date: August 30, 2006

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Respectfully submitted,
HOGAN & HARTSON L.L.P.

By: _____

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FORM PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number (Optional)
81872.0052Application Number
10/650,504

Applicant

Yosuke INOMATA, et al.

Filing Date
August 27, 2003Group Art Unit
1765

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5693234 (Corresponds to Japanese Patent Publication No.: 09-501271)	12/02/97	Detthard PETERS	216	002	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	10-223736	08/21/98	JAPAN			Abstract	
	07-500458 (Corresponds to PCT Publication No. WO 94/05035)	01/12/95	JAPAN				
	2001-127142	05/11/01	JAPAN			Abstract	
	06-320799	12/12/97	JAPAN			Abstract	
	01-119025	05/11/89	JAPAN			Abstract	
	06-204181	07/22/94	JAPAN			Abstract	
	06-283493	10/31/97	JAPAN			Abstract	
	08-274069	10/18/96	JAPAN			Abstract	
	58-032417	02/25/83	JAPAN			Abstract	
	2002-078404	03/15/02	JAPAN			Abstract	
	09-501271 (Corresponds to US Patent No. 5693234)	02/04/97	JAPAN				
	10-280172	10/20/98	JAPAN			Abstract	
	WO 94/05035 (Corresponds to Japan Patent Publication No.: 07-500458)	03/03/94	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.